

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
1285 AVENUE OF THE AMERICAS
TELEPHONE (212) 373-3000
NEW YORK, NEW YORK 10019-6064

UNIT 5201, FORTUNE FINANCIAL CENTER
5 DONGSANHUAN ZHONGLU
CHAOYANG DISTRICT, BEIJING 100020, CHINA
TELEPHONE (86-10) 5828-6300

WRITER'S DIRECT DIAL NUMBER

(212) 373-3183

WRITER'S DIRECT FACSIMILE

(212) 492-0183

WRITER'S DIRECT E-MAIL ADDRESS

ratkins@paulweiss.com

SUITES 3601 - 3606 & 3610
36/F, GLOUCESTER TOWER
THE LANDMARK
15 QUEEN'S ROAD, CENTRAL
HONG KONG
TELEPHONE (852) 2846-0300

ALDER CASTLE
10 NOBLE STREET
LONDON EC2V 7JU, UNITED KINGDOM
TELEPHONE (44 20) 7367 1600

535 MISSION STREET, 24TH FLOOR
SAN FRANCISCO, CA 94105
TELEPHONE (628) 432-5100

FUKOKU SEIMEI BUILDING
2-2 UCHISAIWAICHO 2-CHOME
CHIYODA-KU, TOKYO 100-0011, JAPAN
TELEPHONE (81-3) 3597-8101

TORONTO-DOMINION CENTRE
77 KING STREET WEST, SUITE 3100
P.O. BOX 226
TORONTO, ONTARIO M5K 1J3
TELEPHONE (416) 504-0520

2001 K STREET, NW
WASHINGTON, DC 20006-1047
TELEPHONE (202) 223-7300

500 DELAWARE AVENUE, SUITE 200
POST OFFICE BOX 32
WILMINGTON, DE 19899-0032
TELEPHONE (302) 655-4410

June 8, 2023

MEMO ENDORSED

By ECF

The Honorable Kenneth M. Karas
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, NY 10601-4150

Re: *GlobalFoundries U.S. Inc. v.*
International Business Machines Corporation,
Case No. 7:23-cv-03348-KMK-AEK

Dear Judge Karas:

We write on behalf of Defendant International Business Machines Corporation ("IBM") to request an order under Your Honor's Individual Rule IX authorizing the redaction, and sealed filing, of a minimally redacted version of the Appendix to IBM's June 8, 2023 letter pursuant to Your Honor's Individual Rule II.A setting forth IBM's bases pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) to dismiss the Complaint filed by Plaintiff GlobalFoundries U.S. Inc. on April 21, 2023 (ECF No. 1) in the above-referenced action.

On May 11, 2023, the Court granted Plaintiff's application to permanently maintain the sealed, unredacted Complaint filed in Dkt. No. 23-MC-111. (ECF No. 37.) IBM's minimal redactions of the Appendix are limited to text from that Complaint that the Court already has ordered to be permanently maintained under seal, including Complaint paragraphs 111 and 113.

As the proposed redactions contain confidential business information and are minimal, the Court grants Defendant's motion to permanently seal Dkt. No. 42. The Clerk of the Court is directed to terminate the pending motion at Dkt. No. 41.

Respectfully submitted,

/s/ Robert A. Atkins

Robert A. Atkins

cc: All counsel of record (via ECF)

SO ORDERED


KENNETH M. KARAS U.S.D.J.

June 9, 2023